

Research, Development, and Acquisition

International Cooperative Research, Development, and Acquisition

**Headquarters
Department of the Army
Washington, DC
15 July 2002**

UNCLASSIFIED

SUMMARY of CHANGE

AR 70-41

International Cooperative Research, Development, and Acquisition

Specifically, this revision--

- o Changes the title to International Cooperative Research, Development, and Acquisition.
- o Defines the policy and management responsibilities of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology) and other Army staff elements and major commands for international cooperative research, development, and acquisition (chap 2).
- o Consolidates ARs 10-36, 70-23, 70-33, 70-41, 70-58, and 70-66 into a single Army regulation.

Effective 15 August 2002

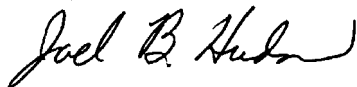
Research, Development, and Acquisition

International Cooperative Research, Development, and Acquisition

By Order of the Secretary of the Army:

ERIC K. SHINSEKI
General, United States Army
Chief of Staff

Official:



JOEL B. HUDSON
Administrative Assistant to the
Secretary of the Army

History. This printing publishes a revision of this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

Summary. This regulation is a revision and consolidation of several Army regulations on international cooperative research, development, and acquisition programs. It establishes Department of the Army policy on cooperative research, development, and acquisition between the United States and other nations and prescribes responsibilities for managing and

implementing Army participation in international cooperative research, development, and acquisition programs and for managing U.S. Army Research, Development, and Standardization Groups and other overseas Army organizations that support international cooperative research, development, and acquisition.

Applicability. This regulation applies to the Active Army, the Army National Guard of the United States (ARNGUS), including periods when operating in an Army National Guard capacity, and the U.S. Army Reserve.

Proponent and exception authority. The proponent of this regulation is the Assistant Secretary of the Army for Acquisition, Logistics, and Technology (ASA(ALT)). The ASA(ALT) has the authority to approve exceptions to this regulation that are consistent with controlling law and regulations. The ASA(ALT) may delegate this authority, in writing, to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

Army management control process. This regulation contains management control provisions but does not identify key

management controls that must be evaluated.

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the ASA(ALT), 102 Army Pentagon, Washington DC 20310-0102.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the ASA(ALT), 102 Army Pentagon, Washington DC 20310-0102.

Distribution. This publication is available in electronic media only and is intended for command levels C, D, and E for the Active Army, the Army National Guard of the United States, and the U.S. Army Reserve.

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*This regulation supersedes AR 10-36, dated 15 June 1979; AR 70-23, dated 13 September 1976; AR 70-33, dated 11 November 1976; AR 70-41, dated 1 June 1981, AR 70-58, dated 17 September 1976, and AR 70-66, dated 15 December 1979.

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Chapter 1

General

Section I

Introduction

1–1. Purpose

a. This regulation establishes policy and defines responsibilities for Department of the Army (DA) participation in international cooperative research, development, and acquisition (ICRDA) between the United States and other nations. It addresses the following ICRDA programs and supporting activities:

- (1) The identification and leveraging of opportunities for cooperative research, development, and acquisition (RDA).
- (2) The development, negotiation, and implementation of international agreements pertaining to cooperative RDA.
- (3) The exchange of technical and scientific information under the Defense Data Exchange Program (DDEP) (formerly the Mutual Weapons Development Data Exchange Program and the Defense Development Exchange Program).
- (4) The exchange of engineers and scientists under the Engineer and Scientist Exchange Program (ESEP) (formerly the International Professional (Scientists and Engineers) Exchange Program).
- (5) The loan of equipment under section 65 of the Arms Export Control Act (AECA).
- (6) ICRDA under The Technical Cooperation Program (TTCP).
- (7) The test and evaluation of foreign equipment under the Foreign Comparative Testing (FCT) Program.
- (8) The development and execution of ICRDA projects under the United States-Canadian Defense Development Sharing Program (DDSP).
- (9) The management and operation of U.S. Army Research, Development, and Standardization Groups and other overseas Army organizations that support ICRDA.

b. This regulation updates policies and realigns responsibilities for Army ICRDA programs to reflect the establishment of the Office of the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation and changes in the external environment for ICRDA programs.

1–2. References

Required and related publications and prescribed and referenced forms are listed in appendix A. ASA(ALT) will supplement this regulation with additional guidance on procedures and formats for developing ICRDA agreements as necessary.

1–3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

Section II

Army Participation in International Cooperative Research, Development, and Acquisition Programs and Activities

1–4. Objectives

The U.S. Army participates in ICRDA programs and activities with allies and other friendly nations to enhance the security of the United States by contributing to one or more of the following objectives:

- a.* Improving multinational force compatibility (MFC) between the U.S. Army and armies of allies and other friendly nations through deployment of interoperable equipment and/or integrated logistic support.
- b.* Leveraging U.S. Army resources through cost sharing and economies of scale obtained through coordinated RDA and logistic support programs.
- c.* Avoiding duplication of research and development (R&D) efforts between the U.S. Army and allies and other friendly nations.
- d.* Leveraging the best technologies available for equipping the U.S. Army and armies of allied and other friendly nations.
- e.* Addressing U.S. Army science, technology, and materiel development objectives.
- f.* Maintaining a strong defense industrial base for the United States, its allies, and other friendly nations.
- g.* Modernizing, strengthening, and expanding existing alliances and friendships by increasing mutual understanding and information exchange in RDA programs and activities.

1–5. Scope

a. International cooperative research, development, and acquisition programs and activities include, but are not limited to, the following principal types:

- (1) Data and information exchange in which participating countries exchange technical and scientific information of mutual interest.
- (2) Personnel exchanges in which participating countries exchange scientists and engineers.
- (3) The loan, testing, and evaluation of technology or materiel that has been or is being developed by the United States or friendly foreign nations.
- (4) Research and/or development that may result in a decision to adopt foreign or jointly developed materiel to meet U.S. military requirements.
- (5) Cooperative R&D efforts resulting from coproduction arrangements, foreign military sales, or direct commercial sales.
- (6) Joint production and follow-on support of defense articles or equipment resulting from a cooperative R&D effort.
- (7) Acquisition of foreign equipment, technology, or logistics support.

b. This regulation does not address technology transfer with foreign entities through Cooperative Research and Development Agreements (CRDAs) authorized under section 3701, title 15, United States Code (15 USC 3701). Army policy and procedures for developing CRDAs are contained in AR 70-57.

1-6. Identifying and documenting international cooperative research, development, and acquisition opportunities

a. Section 2350a, title 10, United States Code requires the DOD to undertake an assessment of the potential to conduct cooperative research and development for any planned acquisition project at an early point in the formal system development review process. This assessment will be conducted for all new Army acquisition programs and will be documented in a stand-alone document known as a cooperative opportunities document (COD). At a minimum, the COD will—

- (1) Identify any similar allied project in development or production.
- (2) Provide an assessment as to whether any existing allied projects could satisfy or be modified to satisfy U.S. Army requirements.
- (3) Provide an assessment of the advantages and disadvantages of a cooperative development program with regard to program timing, developmental and life cycle costs, technology sharing, cost sharing, disclosure, and MFC.
- (4) Describe the alternate forms of armaments cooperation appropriate for the project.
- (5) Recommend whether a cooperative program should be pursued.

b. For ACAT (acquisition category) I programs only, the assessment described above will also be summarized and included in the acquisition strategy portion of milestone review documentation, in accordance with DOD Instruction 5000.2.

c. The Army will gather the information necessary to stay abreast of military doctrine, materiel and R&D of allied and friendly nations and will use this knowledge in identifying, planning, and executing ICRDA programs.

d. To capitalize on Army participation in international forums that may identify opportunities for ICRDA, meeting results will be regularly distributed to interested commands, agencies, and program executive officers (PEOs)/project managers (PMs).

e. International cooperative research, development, and acquisition will be considered when an evaluation indicates that it would benefit the U.S. Army without causing undue risk to U.S. security. ICRDA will normally be undertaken to meet an identified technology need (for example, science and technology objective (STO)) or approved military requirement, but ICRDA programs may also be used to help the Army identify and describe a possible requirement or be undertaken as a result of direction from higher headquarters.

f. The Foreign Comparative Testing (FCT) Program and section 65 loan program may be utilized to conduct the test and evaluation of non-developmental items (NDIs), materiel and technology developed or produced by allied and friendly nations.

g. While ICRDA programs are managed as separate activities, in practice the pursuit of one program may lead to another. For example, participation in a research and development oriented international forum may lead to specific data exchange agreements, defense personnel exchanges, testing of foreign equipment or section 65 loans. These exchanges of people, information and materiel may in turn evolve into cooperative research and development projects or U.S. procurement of foreign defense equipment.

h. Cooperative Research and Development Agreements with foreign nongovernmental entities may be used, in conjunction with other methods, to identify potential ICRDA opportunities with the subject nation. CRDAs will be established in accordance with DOD 3200.12-R-4 and AR 70-57.

i. All major Army commands (MACOMs) involved in the materiel development process are encouraged to maximize use of exchange personnel such as ESEP personnel, foreign liaison officers (FLOs), Cooperative Program personnel (CPP), and Military Professional Exchange Program (MPEP) personnel in identifying potential ICRDA opportunities. In order to identify potential cooperative opportunities early in the materiel development process, MACOMs are encouraged to maximize exchange personnel participation in Integrated Concept Teams, Integrated Product Teams, or other similar forums relating to proposed projects with their parent countries. U.S. Army Research,

Development, and Standardization Group (USARDSG) and Army Materiel Command Office for International Cooperative Programs-Far East (AMCOICP-FE) personnel, TRADOC liaison officers, and other Army personnel stationed overseas will also support the identification of potential ICRDA opportunities as part of their assigned responsibilities.

1-7. Developing and negotiating international cooperative research, development, and acquisition agreements

a. Army participation in many ICRDA programs and activities will be subject to a formal written agreement between the United States and participating nations. The type and structure of each agreement will depend on the nations involved, the type of cooperative activity, and the degree to which DOD and/or U.S. Army resources are involved. Those ICRDA programs that involve the expenditure of U.S. resources require the negotiation of a formal international agreement, often known as a memorandum of understanding (MOU) or a project arrangement/agreement (PA) under a master/umbrella agreement such as a technology research and development project (TRDP) MOU or similar agreement. The exchange of defense data and information under the DDEP requires the development of a data exchange annex or information exchange annex (DEA/IEA); the loan of defense equipment generally requires a section 65 loan agreement. PEOs/PMs and other Army acquisition personnel considering a cooperative program should consult local international program specialists and legal counsel to determine the specific type of ICRDA agreement required.

b. All ICRDA agreements will be developed, negotiated, and established in accordance with DOD Directive 5530.3 and AR 550-51. These agreements are also subject to review and comment by the Department of Commerce (DOC) (see para 1-7c).

(1) Those ICRDA agreements designated as memoranda of understanding involve extensive supporting documentation and require Office of the Secretary of Defense (OSD) approval. In accordance with OSD policy memos and AR 550-51, this process generally involves the following steps:

(a) Submission of a request for authority to develop (RAD) package to OASA(ALT) for HQDA, and OSD approval and DOC review and comment.

(b) Upon RAD approval, negotiation of a draft international agreement.

(c) Submission of a request for final authority (RFA) to establish package to OASA(ALT) for HQDA, and OSD approval and DOC review and comment.

(d) Upon RFA approval, language certification (when required by AR 550-51) and signature (establishment) of the international agreement.

(e) Within ten days of signature, forwarding of the signed agreement to Office of the Judge Advocate General (DAJA-IO) for transmission to the Department of State and OSD General Counsel.

(2) The development of TRDP PAs and section 65 loan agreements is similar to the MOU process but involves a less extensive OSD review. Authority to approve RADs for TRDP PAs and section 65 loan agreements has been delegated to HQDA, but these agreements must be transmitted to OSD for approval and to the DOC for review and comment prior to signature. The authority to develop and sign DEAs/IEAs has been delegated to HQDA and further relegated to the Commanding General, Army Materiel Command.

c. In furtherance of the provisions of 10 USC 2531, which requires the DOD to solicit and consider Department of Commerce (DOC) comments and recommendations regarding the commercial implications of ICRDA agreements, the USD(AT&L) and the Under Secretary of Commerce for Export Administration (USC(BXA)) have signed a statement of principles that establishes specific procedures for interagency consultation on ICRDA agreements. They will be implemented as follows.

(1) For MOUs, the USD(AT&L) will provide copies of RADs (prior to negotiations) and RFAs (prior to approval) to the USC(BXA) for review and comment.

(2) For PAs and section 65 loan agreements, USD(AT&L) will provide copies of RFAs to USC(BXA) prior to agreement signature.

(3) For DEAs/IEAs under the Defense Data Exchange Program (DDEP) (for which OSD has delegated approval authority to the Army), the Army will provide draft copies of the proposed agreements directly to USC(BXA) for review and comment.

(4) Verbal questions or comments from the DOC to the Army regarding ICRDA agreements may be answered verbally. Written questions or nonconcurrences on MOUs, PAs, section 65 loan agreements, and DEAs/IEAs should be responded to in writing. Such responses will be developed by the responsible command, agency, or office and forwarded to ASA(ALT) for coordination with OSD before being transmitted to DOC. If a DOC non-concurrence on a proposed ICRDA agreement cannot be resolved, OSD will notify the DOC in writing before taking final action.

d. International cooperative research, development, and acquisition agreements developed under the authority of 22 USC 2767 are subject to additional certification and notification requirements.

(1) Not less than 30 days before a cooperative project agreement authorized by 22 U.S.C. 2767 is to be signed, DOD must provide a numbered certification to Congress describing the project in detail.

(2) If the Army intends to award a contract or subcontract to a particular contractor in furtherance of a cooperative project authorized under 22 USC 2767, the Army must provide a proposed notification of such action to OSD in sufficient time to forward to Congress before the time of contract award.

(3) If the Army intends to exercise a waiver of statutory contracting provisions authorized in 22 USC 2767, it must provide a proposed Congressional notice to that effect to OSD.

(4) The Congressional notifications described in paragraphs d(2) and d(3) above are not required if the relevant information was provided to Congress as part of the agreement certification described in d(1) above.

e. Wherever possible, ICRDA agreements will support approved Army STOs. To ensure proper coordination and linkage between ICRDA efforts and the Army's science and technology (S&T) program, RAD packages for S&T-related MOUs and PAs must be approved by the local Army STO manager or technical director prior to HQDA review. In addition, S&T-related MOUs and PAs will be briefed to the International Programs Working Group (IPWG) for concurrence. The IPWG, co-chaired by senior representatives of the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA(DE&C)) and ASA(ALT), is a senior forum for policy oversight of international S&T agreements. IPWG recommendations are presented to the Army Science and Technology Working Group (ASTWG) prior to HQDA review of the associated RAD package.

f. Those ICRDA agreements that provide for the release of classified military information (CMI) will be supplemented by a Delegation of Disclosure Authority Letter (DDL) developed and approved in accordance with AR 380-10. Such information will be released only in accordance with the provisions of the applicable disclosure documentation.

g. Arrangements between Army and licensee-licensor teams are encouraged. They may supplement or supplant government-to-government agreements. Licensee-licensor agreements are often privately arranged between potential U.S. contractors and foreign developers in allied nations and are not binding on the U.S. Government. Furthermore, arrangements to export technical data by U.S. contractors are subject to the International Traffic in Arms Regulation (ITAR) (22 USC 120-130). The Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA(DE&C)) has been delegated authority to grant ITAR exemptions in support of ICRDA programs.

h. Draft international agreements and other ICRDA documents will be developed and coordinated using an Integrated Product Team (IPT). The IPT will include representatives from international, foreign disclosure/intelligence, legal, finance, and appropriate technical or program offices. IPTs for all S&T-related agreements will also include representation from the local Army STO manager. To the maximum extent feasible, the IPT should include representatives from all known organizations and echelons of command. ASA(ALT) and other HQDA representatives may be included on IPTs for agreements that require HQDA or OSD review and approval. When operational or national security requirements dictate, the ASA(ALT) may establish a single Army IPT to expedite the development and coordination of an ICRDA agreement.

i. Army elements will use the Army International Agreements Tracking System/International Online (IATS/IO) to the maximum extent possible to coordinate and manage all ICRDA agreements. While IATS/IO will be used for coordination and management, the Office of the Judge Advocate General (OTJAG) remains the Army's single office of record for international agreements.

j. Army elements will use the International Agreements Generator (IAG) resident on IATS/IO to develop international agreements in support of ICRDA. Deviations from the IAG-approved text must be approved in advance. Requests for deviations will be submitted to the ASA(ALT) for HQDA and OSD review and approval.

1-8. Funding and financial considerations

a. Army MACOMs, agencies, and PMs seeking to initiate an ICRDA project or activity must identify funding for the projected life cycle of the project or activity before developing the associated international agreement.

b. Additional funding may be available to initiate cooperative R&D projects with NATO and major non-NATO allies through the NATO Research and Development Program (also known as the Nunn program), which is managed by ASA(ALT). At a minimum, projects selected for funding under this program, as well as all other projects that are undertaken under the authority of 10 USC 2350a, must meet the following criteria:

(1) An approved international agreement must be in place.

(2) U.S. project funds must be spent in the United States.

(3) The allied signatory must contribute an equitable portion of total project funding.

(4) The Secretary of Defense or Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) must certify that the project will improve the conventional defense capabilities of NATO or of the United States and its major non-NATO allies.

c. RAD packages that envision the use of NATO Research and Development Program funding will be reviewed and prioritized by HQDA prior to forwarding to OSD for review and approval. For S&T agreements, priority will be given to those that have received Army ASTWG approval.

d. A second source of supplementary funding for cooperative projects is the Coalition Warfare Program (CWP). Projects proposed for CWP funding must focus on the development of doctrine, concepts, systems, and technologies that promote interoperability between the U.S. and its allies in a coalition environment. CWP funding must not exceed three years (two preferred) and must not exceed foreign contributions to the project. The CWP is managed by the Office of the USD(AT&L), which selects projects for funding based on submissions from the Military Services, Defense Agencies, and Combatant Commanders. Army CWP proposals are forwarded to OSD through the ASA(ALT).

e. In quantifying total U.S. and foreign contributions to an ICRDA project, Army project personnel will consider both financial and non-financial contributions of each participant in the project.

1–9. Reporting on and evaluation of ICRDA programs

a. Section 2350a(f), title 10, United States Code requires the USD(AT&L) to provide an annual report to Congress on the status, funding, and schedule of all cooperative projects undertaken under the authority of 10 USC 2350a. This requirement applies both to projects receiving NATO Research and Development Program funding and to those funded through other program elements. Managers of these cooperative research and development projects will provide the required information through command channels to the ASA(ALT), who will consolidate and forward the Army annual report to the USD(AT&L).

b. Other ICRDA agreements and activities subject to regular reporting are—

- (1) All international agreements (IAs), including DDSP PAs, as specified in the individual IA.
- (2) DEAs/IEAs under the DDEP (on an annual basis) (Reports Control Symbol: DRC-801).
- (3) ESEP exchanges with countries for which the Army is responsible, as required.
- (4) FCT projects (on a quarterly basis).

c. In reporting on ICRDA programs, the benefits of Army participation in ICRDA programs will be identified.

d. Army PEOs/PMs and other Army materiel developers will assess the adequacy, effectiveness, efficiency, and productivity of ICRDA acquisition programs and activities with respect to the objectives stated in paragraph 1-4 above as part of the acquisition milestone reviews described in AR 70-1, DOD Directive 5000.1, and DOD Instruction 5000.2.

1–10. Training

a. Those members of the Army acquisition workforce assigned to ICRDA programs or activities, as well as ICRDA program specialists at HQDA and materiel development organizations who are not members of the acquisition workforce, will be knowledgeable of the organizations, policies, processes, and information systems related to these programs. At a minimum, individuals should be knowledgeable of the following:

- (1) Structure, scope, and goals of relevant ICRDA programs.
- (2) Funding for ICRDA programs.
- (3) Policies, procedures, and documentation requirements for developing, negotiating, and establishing ICRDA agreements, to include the use of IATS/IO and the IAG.
- (4) The structure and tactics of international negotiations.
- (5) U.S. arms export regulations and DOD and Army information and industrial security policies.
- (6) U.S. security and foreign disclosure policies and procedures.
- (7) Reporting requirements.

b. Recommended training and education standards (and other qualification requirements) for members of the Army acquisition workforce participating in ICRDA programs, as well as for ICRDA program specialists, will be defined by HQDA. Commanders of MACOMS and agencies are responsible for ensuring that recommended requirements are met.

Chapter 2 Responsibilities

2–1. Army Acquisition Executive

The Army Acquisition Executive (AAE) will—

- a. Administer Army acquisition programs in accordance with DOD policies and guidelines, including those involving cooperative research, development, and acquisition with allies and friendly foreign nations.
- b. Formulate acquisition policy for ICRDA programs, in coordination with the ASA(ALT).

2–2. Assistant Secretary of the Army (Acquisition, Logistics, and Technology)

The Assistant Secretary of the Army (Acquisition, Logistics, and Technology) (ASA(ALT)) will—

- a. Review and approve all RDTE and procurement budget justification for international acquisition programs not reserved to other HQDA proponents.
- b. Integrate international considerations and requirements in Army-wide technology base strategy, policy, guidance, and planning.
- c. Provide science and technology (S&T) guidance to include S&T objectives (STOs), strategic research objectives (SROs), and other mission priorities for conduct of ICRDA programs and activities.
- d. Approve and sign loan agreements for Army equipment and technology authorized under section 65 of the Arms Export Control Act (AECA), 22 USC 2796d.

- e. Inform all Army materiel developers of Congressionally mandated or other restrictions on the acquisition of foreign defense materiel or technology.
- f. Delegate disclosure authority for technical controlled unclassified information (CUI) to the originator or proponent of the data.
- g. Establish and maintain the IPWG.
- h. Appoint the Army representative to the NATO Army Armaments Group (NAAG) and Five Power Senior National Representatives (Army) (SNR)(A)) forums.
- i. Oversee ICRDA programs through the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA(DE&C)). The DASA(DE&C) will—
 - (1) Provide management oversight and policy guidance for ICRDA programs and activities.
 - (2) Serve as the focal point within the Army for information on all ICRDA programs and activities of Army interest and coordinate the efforts of all DA agencies and commands involved in ICRDA activities.
 - (3) Provide guidance on the development and conduct of ICRDA programs and activities to address Army materiel requirements and to support the Army's contribution to the national security strategy.
 - (4) Coordinate HQDA review and prioritization of cooperative R&D activities and agreements.
 - (5) Recommend international considerations and requirements for inclusion into Army-wide technology base strategy, policy, guidance, and planning through the ASTWG process. Provide ICRDA-related input to and review of the Army International Affairs Plan in accordance with AR 11-31.
 - (6) Disseminate the results of international meetings that address potential cooperative ICRDA opportunities to interested commands, agencies, program executive officers, and project managers.
 - (7) Develop processes and supporting tools to facilitate the identification and development of international cooperative opportunities for Army acquisition programs.
 - (8) Provide oversight of foreign disclosure of CMI associated with Army ICRDA programs and activities.
 - (9) Support HQDA staff elements and Army commands and agencies in the development and processing of Planning, Programming, Budgeting, and Execution System (PPBES) and other funding submissions to support ICRDA programs and activities.
 - (10) Develop and support PPBES submissions for the NATO Research and Development Program and Army Armaments Group support.
 - (11) Review and coordinate summary statements of intent (SSOIs), technology assessment/control plans (TA/CPs), delegation of disclosure authority letters (DDLs) and other supporting documentation submitted in support of proposed international agreements for ICRDA that require HQDA and OSD review and approval.
 - (12) Brief IPWG-approved ICRDA agreements to the ASTWG.
 - (13) Establish a single Army IPT to expedite the development and coordination of ICRDA agreements when operational or national security requirements dictate.
 - (14) Ensure that security implications are considered for each ICRDA program that potentially involves the international transfer of critical military technology.
 - (15) Review and approve requests for ITAR exemptions in support of ICRDA programs.
 - (16) Forward RAD and RFA packages in support of international agreements for ICRDA to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).
 - (17) Designate negotiators for international agreements for ICRDA, in coordination with the Secretary of the Army/General Counsel (SAGC).
 - (18) When delegated authority by the USD(AT&L), negotiate and establish international agreements as signatory authority on behalf of the U.S. Government for ICRDA programs.
 - (19) Ensure that written Army responses to Department of Commerce comments and/or nonconcurrences on all ICRDA agreements are coordinated with USD(AT&L) before being transmitted to the Department of Commerce.
 - (20) Provide to USD(AT&L) the project information required as part of the Congressional certification for cooperative projects authorized under 22 USC 2767.
 - (21) Provide to USD(AT&L) proposed Congressional notices of Army intent to award contracts or subcontracts or seek statutory waivers in furtherance of cooperative projects authorized under 22 USC 2767.
 - (22) Nominate the U.S. Army member to the DOD Departmental MOU Committee.
 - (23) Identify those countries and technologies for which data/information exchange annexes (DEAs/IEAs) require HQDA review and establish associated coordination procedures.
 - (24) Transmit draft copies of proposed DEAs/IEAs to the Department of Commerce for review and comment prior to signature.
 - (25) Coordinate review and approval of loan agreements for Army equipment and technology authorized under section 65 of the AECA.
 - (26) Coordinate Army responses to the NATO Armaments Planning Questionnaire (APQ) and other multinational reporting activities on ICRDA.
 - (27) Provide policy guidance to Commanders, U.S. Army Research, Development, and Standardization Groups and

Army Materiel Command Office for International Cooperative Programs-Far East through the Commanding General, U.S. Army Materiel Command.

(28) Provide a representative to the ASTWG. This representative shall also serve as the co-chair of the IPWG.

(29) Serve as the Army Head of Delegation for international forums related to research, development, and acquisition such as The Technical Cooperation Program (TTCP), U.S.-Japan Systems and Technology Forum, and bilateral Senior National Representatives (Army) (SNR(A)) forums.

(30) Provide guidance and oversight of Army participation in international forums related to research, development, and acquisition, such as the NAAG Land Groups, American, British, Canadian, Australian (ABCA) Armies' Standardization Program Quadripartite Working Groups (QWGs), SNR(A) Working Groups, and International Cooperative Opportunity Groups (ICOGs).

(31) Review proposed ICRDA programs and projects and new materiel requirements of U.S. allies for compatibility with security assistance goals, policies, plans, and programs.

(32) Establish procedures and criteria for assessing the effectiveness of Army ICRDA programs and activities.

(33) Prescribe qualification requirements for Army acquisition workforce personnel and other Army ICRDA program specialists involved in ICRDA programs.

(34) Sponsor and oversee the development of the IO system. Responsibility for day-to-day management of the development of IO may be delegated to subordinate organizations.

2-3. The Chief Information Officer, G-6

The Chief Information Officer, G-6 (CIO/G-6) will—

a. Validate requirements, resourcing, and prioritization of individual C4 programs involving ICRDA with allies and friendly foreign nations in coordination with the DCS, G-8 and the ASA(ALT).

b. Recommend potential ICRDA opportunities within his or her assigned area of responsibility to the ASA(ALT).

c. Review proposed ICRDA programs and projects and known new C4-related materiel requirements of U.S. allies for compatibility with U.S. C4 goals, policies, plans, and programs.

d. Represent the Army in selected international forums dealing with research and development of C4 systems, such as NAAG Land Group 1, the Quadrilateral Armies Communication and Information Systems Interoperability Group (QACISIG), C4-related ABCA Armies' Standardization Program QWGs, and related ABCA forums.

e. Develop interoperability standards for C4-related ICRDA programs and activities.

2-4. The Secretary of the Army/General Counsel

The Secretary of the Army/General Counsel (SAGC) will—

a. Designate and provide guidance to legal advisors for negotiations for international agreements in support of ICRDA, in coordination with the ASA(ALT).

b. Review all international agreements in support of ICRDA requiring HQDA or OSD review for legal sufficiency.

c. Receive signed international agreements in support of ICRDA from the OTJAG (DAJA-IO) and forward to the OSD General Counsel.

2-5. The Deputy Chief of Staff, G-8

The Deputy Chief of Staff, G-8 (DCS, G-8) will—

a. Facilitate development of ICRDA programs by promoting the harmonization of the military requirements of the United States and allied armies by providing tactical concepts, roles, and missions.

b. Recommend potential ICRDA opportunities within his or her assigned area of responsibility to the ASA(ALT).

c. Review proposed cooperative opportunities to ensure the accuracy and completeness of information relating to his or her area of mission responsibilities and compliance with DA and DOD objectives, in coordination with the ASA(ALT).

d. Recommend prioritization of Army FCT proposals, in coordination with the CG, AMC, and prioritization of ICRDA programs receiving NATO Research and Development Program funding, in coordination with the ASA(ALT).

2-6. The Deputy Chief of Staff, G-4

The Deputy Chief of Staff, G-4 (DCS, G-4) will—

a. Review proposed ICRDA programs and projects and known new materiel requirements of U.S. allies for compatibility with cooperative logistics goals, policies, plans, and programs.

b. Recommend potential ICRDA opportunities within his assigned area of responsibility to the ASA(ALT).

c. Review proposals for cooperative opportunities to ensure the accuracy and completeness of information relating to his or her area of mission responsibilities and compliance with DA and DOD objectives, in coordination with the ASA(ALT).

2-7. The Deputy Chief of Staff, G-2

The Deputy Chief of Staff, G-2 (DCS, G-2) will—

- a.* Develop and issue appropriate guidance on security matters relating to DA participation in ICRDA programs.
- b.* Formulate policies, procedures, and administrative oversight governing disclosure of CMI and CUI to foreign representatives and provide general guidance, advice, and assistance to DA officials in determining the suitability of CMI identified for foreign disclosure.
- c.* Formulate Army policies governing international technology transfer and be the primary POC for technology security issues in HQDA. In this role, the DCS, G-2 will—
 - (1) Task appropriate HQDA elements to prepare risk assessments as needed to identify military critical technologies and provide additional technical support for international technology transfer issues.
 - (2) Provide staff review of all Army actions with technology transfer implications.
 - (3) Ensure appropriate protection measures are considered for each program that potentially involves the international transfer of CMI.
 - (4) Provide representation to the Technology Transfer and Security Assistance Review Panel (TTSARP).
 - (5) Chair the Technology Control Panel (TCP) and assist in carrying out the responsibility to manage and coordinate international technology transfer for the Army.
- d.* Record decisions on foreign visits to DA elements in the Foreign Visits System (FVS) in compliance with DODI 5230.18.
- e.* Coordinate, review, and submit all Army Exceptions to NDP-1 associated with ICRDA programs.
- f.* Approve DDLs developed in support of ICRDA agreements and programs.
- g.* Provide technology transfer/disclosure guidance to Integrated Product Teams (IPTs) during drafting and review of ICRDA agreements.
- h.* Negotiate, conclude, and monitor master MOUs for the Foreign Liaison Officer program and review and approve all FLO placements with the U.S. Army.

2-8. The Judge Advocate General

The Judge Advocate General (TJAG) will—

- a.* Act as the Army office of record for international agreements, including those established in support of ICRDA programs.
- b.* In accordance with AR 550-51, provide guidance on the development and negotiation of ICRDA agreements to MACOMS, PEO/PMs, and Army agencies as required.
- c.* Forward copies of signed international agreements in support of ICRDA programs to the Department of State and to the OSD General Counsel, through the Army General Counsel.

2-9. Heads of all other HQDA staff elements

The heads of all other HQDA staff elements will—

- a.* Develop and promulgate ICRDA-related policy and priorities in their functional area of responsibility.
- b.* Provide oversight to ICRDA programs and activities within their assigned area of responsibility. Heads of HQDA staff elements will obtain concurrence from legal counsel before tendering and drafting ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement. The concurrence of the TJAG (DAJO-IO) will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.
- c.* Recommend potential ICRDA opportunities within their assigned area of responsibility to the ASA(ALT).
- d.* Forward requests to negotiate and establish international agreements in support of ICRDA within their assigned area of responsibility to the ASA(ALT) for HQDA coordination and forwarding to the USD(AT&L).

2-10. The Commanding General, Army Materiel Command

The Commanding General (CG), Army Materiel Command (AMC) will—

- a.* Manage and participate in specific ICRDA programs and activities as specified below.
- b.* Develop and forward requests for approval to develop and establish international agreements (IAs) in support of ICRDA through the ASA(ALT) to the USD(AT&L).
- c.* When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement IAs in support of ICRDA. The CG, AMC will obtain concurrence from legal counsel before tendering any draft ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement. The concurrence of command counsel will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.
- d.* Prepare and forward written responses to written Department of Commerce comments and/or nonconcurrences on ICRDA agreements through the ASA(ALT) to the USD(AT&L).
- e.* Notify ASA(ALT) of AMC intent to award contracts or subcontracts to particular contractors in furtherance of

cooperative projects authorized under 22 USC 2767 not less than 30 days prior to contract award. Also provide notice to ASA(ALT) of AMC intent to seek statutory waivers for cooperative projects under the same authority.

f. Establish international points of contact (IPOCs) at major subordinate command (MSC) level to develop, coordinate, and execute ICRDA programs and activities.

g. Appoint IA project officers (POs) to track the development of and maintain records in IATS/IO for all IAs for which AMC is responsible.

h. Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).

i. Develop and forward requests for funding ICRDA projects under the NATO Research and Development Program Element (PE) to the ASA(ALT) for HQDA review and prioritization.

j. Provide reports on the status on ICRDA projects authorized under 10 USC 2350a to the USD(AT&L) through the ASA(ALT).

k. Develop and forward proposals for Coalition Warfare Program projects to the USD(AT&L) through the ASA(ALT).

l. Establish procedures to identify potential ICRDA opportunities in AMC-managed international forums.

m. Advise and support PEOs/PMs in the development of cooperative R&D strategies to include market surveillance of foreign materiel and technology, identification of international cooperative opportunities and development of IAs to support ICRDA.

n. Provide guidance, when requested, to other DA materiel developing agencies for developing, negotiating, and concluding IAs for those programs for which AMC exercises Army responsibility.

o. Provide an annual assessment to the ASA(ALT) on those ICRDA programs for which AMC exercises Army responsibility. This assessment may be included as part of the reports specified in paragraph 1-9 above.

p. Provide to the ASA(ALT) copies of all reports submitted to HQDA or OSD on those ICRDA programs for which AMC exercises Army responsibility.

q. Maximize the use of FLO, CPP, ESEP, and MPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380-10.

r. Maintain electronic records in IATS/IO identifying Army IA POs and technical project officers (TPOs).

s. Prepare and distribute periodic reports as required from input maintained by IA POs and TPOs in IATS/IO.

t. Ensure that all Army IA POs and TPOs who have management oversight on either established or proposed IAs have access to IATS/IO.

u. Exercise Army responsibility for the Defense Data Exchange Program (DDEP). In fulfilling this responsibility, the CG, AMC will—

(1) Act as the focal point within the Army for all matters pertaining to data/information exchange annexes (DEAs/IEAs).

(2) Develop, review, negotiate, coordinate, approve, establish (sign), amend, and terminate Army DEAs/IEAs to master data exchange agreements that do not require HQDA review and approval.

(3) Provide copies of proposed DEAs/IEAs to ASA(ALT) for retransmission to the Department of Commerce prior to signature.

(4) Ensure that all exchanges of data under the DDEP comply with AR 380-10.

(5) Approve the assignment of Army TPOs.

(6) Define the roles and responsibilities of TPOs, Associate TPOs (ATPOs) and establishments in managing DEAs/IEAs.

(7) Act as the office of record for all original copies of Army DEAs/IEAs.

v. Exercise DOD responsibility for the Engineer and Scientist Exchange Program (ESEP) with countries designated by OSD. In fulfilling this responsibility, the CG, AMC will—

(1) Oversee all DOD interactions with designated countries.

(2) Coordinate with other DOD components regarding the assignment of personnel to or from other DOD components.

(3) Provide status reports as required through the ASA(ALT) to the USD(AT&L) office of primary responsibility for ESEP.

w. Exercise Army responsibility for all personnel exchanges under the ESEP. In fulfilling this responsibility, the CG, AMC will—

(1) Coordinate and approve nominations of U.S. Army personnel for participation in the ESEP and forward approved assignment and candidate information to appropriate offices.

(2) Provide information and assistance to approved U.S. participants in the ESEP regarding their assignments, security requirements, foreign disclosure policy, host nation information, and support and housing arrangements.

(3) Solicit ESEP assignment proposals and encourage submission of replacement requests via IATS/IO at least once a year from AMC MSCs and other Army materiel development commands, installations, and activities.

- (4) Coordinate and approve requests by foreign scientists and engineers for assignment to U.S. Army commands, installations, and activities under the ESEP.
- (5) Notify the commanders of appropriate Army commands, installations, and activities of approval of accreditation for foreign scientists and engineers and of all other security information pertinent to their assignments.
- (6) Issue appropriate guidance to Army commands, installations, and activities for coordination and management of the ESEP.
 - x. Exercise Army responsibility for Army participation in the DOD Foreign Comparative Testing (FCT) program. In fulfilling this responsibility, the CG, AMC will—
 - (1) Act as the Army focal point for information regarding the identification, testing, and evaluation of foreign equipment.
 - (2) Develop, coordinate, prioritize, and forward FCT summary proposals and proposals to the USD(AT&L) office of primary responsibility for the FCT program.
 - (3) Centrally manage, distribute, and account for all funding for approved Army FCT projects.
 - (4) Provide quarterly and other required status reports to the USD(AT&L) office of primary responsibility for the FCT program, with a copy furnished to OASA(ALT).
 - y. Develop loan agreements for the AMC-managed equipment or technologies under section 65 of the AECA. All loan agreements will be forwarded to the ASA(ALT) for approval.
 - z. Exercise Army responsibility for the United States-Canadian Defense Development Sharing Program (DDSP). In fulfilling this responsibility, the CG, AMC will—
 - (1) Act as the Army point of contact for all information pertaining to the DDSP.
 - (2) When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement DDSP PAs.
 - (3) Approve the nomination of the U.S. AMC delegation head and delegation members to the AMC-Canada DDSP Steering Group.
 - (4) Establish reporting requirements and submit progress reports as required under specific DDSP PAs.
 - aa. Provide supervision of and direction for the Commanders, U.S. Army Research, Development and Standardization Groups (USARDSGs) and AMC Office for International Cooperative Programs-Far East (AMCOICP-FE), to include defining areas (countries and functions) of responsibility, directives, policies, and planning and program guidance. The CG, AMC may also prescribe additional responsibilities for the USARDSGs beyond those assigned in paragraph 2-14.
 - bb. Ensure that AMC ICRDA program specialists are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.
 - cc. Ensure that provisions of AR 380-10 are followed when interacting with foreign personnel and governments.

2-11. The Commanding General, Army Training and Doctrine Command

The Commanding General, Army Training and Doctrine Command (CG, TRADOC) will—

- a. Be responsible for overall management, direction and supervision of, and act as the focal point for, all ICRDA programs within his or her area of responsibility.
- b. Collect and disseminate information on military doctrine and training programs of allied and friendly nations and use this information to promote ICRDA and MFC.
- c. Establish procedures to identify potential ICRDA opportunities in TRADOC-managed international forums.
- d. Establish procedures to harmonize U.S. and Allied requirements for doctrine, training, leader development, organization, materiel, and soldiers (DTLOMS) to facilitate the identification of potential cooperative opportunities.
- e. Establish IPOCs at activities involved in developing, coordinating, and executing ICRDA programs.
- f. Recommend potential cooperative opportunities identified in TRADOC-managed international forums to the ASA(ALT) and the responsible materiel developer.
- g. Develop and forward proposals for Coalition Warfare Program projects to the USD(AT&L) through the ASA(ALT).
- h. Maximize the use of FLO and MPEP individuals and TRADOC liaison officers to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380-10.
- i. Develop and forward requests for approval to develop and establish international agreements (IAs) in support of ICRDA through the ASA(ALT) to the USD(AT&L).
- j. When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement IAs in support of ICRDA. The CG, TRADOC will obtain concurrence from legal counsel before tendering any draft ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement. The concurrence of command counsel will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.
- k. Prepare and forward written responses to written Department of Commerce comments and/or nonconcurrences on ICRDA agreements through the ASA(ALT) to the USD(AT&L).

- l.* Appoint an IA PO to track the development of and maintain records in IATS/IO for all IAs in support of ICRDA for which TRADOC is responsible.
- m.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).
- n.* Support PEOs, PMs, and other materiel developing agencies in the identification of international cooperative opportunities.
- o.* Monitor ICRDA projects and support ICRDA activities and testing under the FCT program and equipment loans under section 65 of the AECA, 22 USC 2796d.
- p.* Provide technical supervision of DDSP activities when requested by the CG, AMC.
- q.* In conjunction with the DDSP—
 - (1) Appoint a development sharing coordinator.
 - (2) Establish reporting requirements and submit progress reports as required under specific DDSP PAs.
- r.* Ensure that TRADOC ICRDA program specialists are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

2-12. Program Executive Officers and Deputies for Systems Acquisition at Army Materiel Command major subordinate commands

Program Executive Officers (PEOs) and Deputies for Systems Acquisition (DSAs) will—

- a.* Represent the U.S. Army on international management bodies for selected ICRDA projects, when required.
- b.* Maximize the use of FLO, CPP, ESEP, and MPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380-10.
- c.* Establish IPOCs at activities involved in developing, coordinating, and executing ICRDA agreements and programs.
- d.* Develop and forward requests for approval to develop and establish IAs in support of ICRDA through the ASA(ALT) to the USD(AT&L).
- e.* When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement IAs in support of ICRDA. PEOs and DSAs will obtain concurrence from legal counsel before tendering any draft ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement. The concurrence of legal counsel will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.
- f.* Prepare and forward written responses to written Department of Commerce comments and/or nonconcurrences on ICRDA agreements through the ASA(ALT) to the USD(AT&L).
- g.* Notify ASA(ALT) of intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not less than 30 days prior to contract award. Also provide notice to ASA(ALT) of intent to seek statutory waivers for cooperative projects under the same authority.
- h.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).
- i.* Ensure that reporting PMs comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from the ASA(ALT).
- j.* Ensure that technology assessments/control plans (TA/CPs) are developed for each system for which the PEO is responsible in accordance with AR 380-10 and DOD Directive 5530.3.
- k.* Provide an annual assessment to the ASA(ALT) on those ICRDA programs and activities for which they are responsible.
- l.* Ensure that PEO ICRDA program specialists are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

2-13. Program/project managers

Program/project managers (PMs) will—

- a.* Assess and document the potential for ICRDA for each program for which the PM has responsibility. This assessment should be documented in a cooperative opportunities document (COD) and provided to the ASA(ALT). For ACAT I programs, the COD should be summarized and provided to the ASA(ALT) as an element of the acquisition strategy portion of milestone review documentation.
- b.* Maximize the use of FLO, CPP, ESEP, and MPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380-10.
- c.* Develop and forward requests for approval to develop and establish IAs in support of ICRDA through the ASA(ALT) to the USD(AT&L).
- d.* When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement IAs in support of ICRDA. PMs will obtain concurrence from legal counsel before tendering any draft ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement.

The concurrence of legal counsel will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.

e. Prepare and forward written responses to written Department of Commerce comments and/or nonconcurrences on ICRDA agreements through the ASA(ALT) to the USD(AT&L).

f. Notify ASA(ALT) of intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not less than 30 days prior to contract award. Also provide to ASA(ALT) notice of intent to seek statutory waivers for cooperative projects under the same authority.

g. Appoint an IA PO to track the development of and maintain records in IO for all IAs in support of ICRDA for which the PM is responsible.

h. Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).

i. Ensure that PM ICRDA program specialists are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

j. Direct reporting PMs will—

(1) Ensure that TA/CPs are developed for each system for which they are responsible in accordance with AR 380-10 and DOD Directive 5530.3.

(2) Provide an annual assessment to the ASA(ALT) on those ICRDA activities for which they are responsible.

k. Prepare and submit FCT project proposals and reports, as required, to the CG, AMC in accordance with established procedures and timelines.

2-14. Commanders of U.S. Army Research, Development, and Standardization Groups and Army Materiel Command Office for International Cooperative Programs-Far East

Commanders of the U.S. Army Research, Development, and Standardization Groups (USARDGs) and Army Materiel Command Office for International Cooperative Programs-Far East (AMCOICP-FE) will—

a. Represent the U.S. Army in their respective areas of responsibility on ICRDA programs.

b. Participate, as required and/or directed, in R&D-related international forum meetings held in their area of responsibility.

c. Obtain and forward research and development data from their area of responsibility to interested U.S. Army commands and agencies and provide advice on how to obtain comparable U.S. Army data.

d. Identify and recommend potential ICRDA opportunities to the ASA(ALT) and the responsible Army MACOM or agency.

e. Arrange and support visits of U.S. Army and foreign personnel to support the identification and/or conduct of ICRDA programs within their area of responsibility.

f. Additional responsibilities may be assigned by the CG, AMC.

2-15. Heads of Science and Technology Center Far East, Science and Technology Center Europe, and other Army research and development organizations located overseas

The Heads of Science and Technology Center Far East (STC FE), Science and Technology Center Europe (STC Eur), and other Army R&D offices located overseas will—

a. Liaison with government and industry organizations involved in defense-related R&D activities within their area of responsibility.

b. Identify and forward information on potential ICRDA opportunities within their area of responsibility to the responsible Army MACOM or agency.

c. Monitor and support ongoing ICRDA projects and activities within their area of responsibility.

2-16. International points of contact

International points of contact (IPOCs) will, on behalf of their parent command, agency, or PEO/PM office—

a. Act as focal point for assigned ICRDA agreements and activities.

b. Provide functional support to research development and engineering center (RDEC) or PEO/PM personnel in the development, execution, or assessment of ICRDA agreements or activities.

c. Develop, coordinate, and execute ICRDA agreements and activities. In fulfilling this responsibility, IPOCs will—

(1) Ensure the proper use of IATS/IO in developing and coordinating ICRDA agreements.

(2) Organize and chair IPTs to develop and coordinate ICRDA agreements.

d. Coordinate training of local personnel on the organizations, policies, processes, and information systems related to ICRDA programs.

e. Coordinate reporting and assessment of ICRDA agreements and activities.

f. Attend periodic conferences on ICRDA agreements and activities.

2-17. Technical project officers for data exchange annexes/international exchange annexes

TPOs for DEAs/IEAs will—

- a.* Forward and/or receive all DEA/IEA correspondence, data, information, financial documents, reports through established channel to/from the foreign TPO.
- b.* Ensure that all U.S. authorities and establishments participating in DEAs/IEAs receive current information and are advised as to the status of or changes for each DEA/IEA.
- c.* Appoint U.S. Army Associate TPOs and other associated IA participants.
- d.* Arrange and execute appropriate U.S. TPO to foreign TPO visits in accordance with AR 380-10.
- e.* Act as the office of record for all correspondence, data, information, reports, finances, etc. sent, received, and exchanged under the DEA/IEA.
- f.* Prepare and distribute all reports required under the DEA/IEA, to include input to the annual DEA report (Reports Control Symbol: DRC-801).
- g.* Ensure that all DEA/IEA IATS/IO information is kept current.

2-18. International agreement project officers

IA POs will—

- a.* Ensure that all U.S. authorities and establishments responsible for implementing the IA receive current information and are advised as to the status of or changes to each IA.
- b.* Ensure that all IA information in IATS/IO is kept current.
- c.* When authorized by the responsible command, agency, or PEO/PM office—
 - (1) Act as the office of record for all correspondence, data, information, reports, finances, or other documents sent, received, and exchanged under the IA.
 - (2) Prepare and distribute all reports required under the IA.

2-19. Commanders or heads of other DA commands and agencies

Commanders or heads of other DA commands and agencies, for programs and materiel for which they hold sole or primary RDA responsibility, will—

- a.* Administer ICRDA programs and ensure compliance with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA(ALT).
- b.* Establish and support bilateral and multilateral forums with allied and friendly nations to exchange information, identify cooperative opportunities, and promote ICRDA programs.
- c.* Maximize the use of assigned science and technology advisors and FLO, CPP, ESEP, and MPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380-10.
- d.* Establish IPOCs to develop, coordinate, and execute ICRDA agreements and activities.
- e.* Recommend potential ICRDA opportunities within their area of responsibility to the ASA(ALT).
- f.* Develop and forward requests for approval to develop and establish IAs in support of ICRDA through the ASA(ALT) to the USD(AT&L).
- g.* When delegated authority by the USD(AT&L) and/or the ASA(ALT), develop, negotiate, establish, and implement IAs in support of ICRDA. Commanders or heads of agencies will obtain concurrence from legal counsel before tendering any draft ICRDA agreement to any prospective party to the agreement and before initialing or concluding any international agreement. The concurrence of Staff Judge Advocate or command counsel will include a certification that the agreement complies with the requirements of the Case Act (1 USC 112b), DOD Directive 5530.3, and Army Regulation 550-51.
- h.* Prepare and forward written responses to written Department of Commerce comments and/or nonconcurrences on ICRDA agreements through the ASA(ALT) to the USD(AT&L).
- i.* Notify ASA(ALT) of intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not less than 30 days prior to contract award. Also provide to ASA(ALT) notice of intent to seek statutory waivers for cooperative projects under the same authority.
- j.* Appoint an IA PO to track the development of and maintain records in IATS/IO for all IAs in support of ICRDA for which the command or agency is responsible.
- k.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).
- l.* Appoint TPOs and ATPOs for each assigned DEA/IEAs and provide the names and contact information to the CG, AMC.
- m.* Provide an annual assessment to the ASA(ALT) on those ICRDA activities for which they are responsible.
- n.* Forward all correspondence for all DEAs/IEAs managed by the command or agency through established channels to the foreign project officer.
- o.* Appoint a DDSP development sharing coordinator, establish reporting requirements, and submit progress reports as required under specific DDSP PAs.

p. Ensure that command or agency personnel involved in ICRDA programs, including members of the acquisition workforce and ICRDA program specialists, are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

q. Assign properly qualified personnel to participate in negotiations for IAs in support of ICRDA or represent the U.S. Army in ICRDA forums.

Appendix A References

Section I Required Publications

AR 11–31

Army International Activities Policy. (Cited in para 2-2i(5).)

AR 70–1

Army Acquisition Policy. (Cited in para 1-9d.)

AR 380–10

Technology Transfer, Disclosure of Information, and Contacts with Foreign Representatives. (Cited in paras 1-7f, 2-10q and cc, 2-11h, 2-12b, 2-12j, 2-13j(1), 2-17d, and 2-19c.)

AR 550–51

International Agreements. (Cited in paras 1-7b, 2-8b, 2-10c, 2-11j, 2-12e, 2-13d and 2-19g.)

Section II Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this publication. Note: Army regulations are available online from the USAPA Web site (www.usapa.army.mil). Department of Defense publications may be obtained at <http://www.dtic.mil/whs/directives/>. Volumes of the United States Code may be accessed at <http://www4.law.cornell.edu/uscode/>.

AR 12–1

Security Assistance, International Logistics, Training, and Technical Assistance Support Policy and Responsibilities

AR 34–1

International Military Rationalization Standardization and Interoperability

AR 70–57

Military-Civilian Technology Transfer

AR 200–2

Environmental Effects of Army Actions

AR 614–10

U.S. Army Personnel Exchange Program with Armies of Other Nations

AR 700–131

Loan and Lease of Army Materiel

22 CFR 120–130

International Traffic in Arms Regulation (<http://pmdtc.org/reference.htm#ITAR>)

DODD 2040.2

International Transfers of Technology, Goods, Services, and Munitions

DODD 3100.3

Cooperation with Allies in Research and Development of Defense Equipment

DODD 5000.1

The Defense Acquisition System

DODD 5230.11

Disclosure of Classified Military Information to Foreign Governments and International Organizations

DODD 5230.20

Visits, Assignments, and Exchanges of Foreign Nationals

DODD 5530.3

International Agreements

DODI 2015.4

Defense Research, Development, Test and Evaluation (RDT&E) Information Exchange Program (IEP)

DODI 3100.8

The Technical Cooperation Program (TTCP)

DODI 5000.2

Operation of the Defense Acquisition System

DOD 3200.12–R–4

Domestic Technology Transfer Program Regulation

DOD 5000.3–M–2

Foreign Comparative Testing (FCT) Program Procedures Manual

1 USC 112b

Case Act

10 USC 168 note

The National Defense Authorization Act for Fiscal Year 1997, section 1082

10 USC 2341 et seq.

Acquisition and Cross-Servicing Agreements Authority

10 USC 2350a

Nunn Amendment

10 USC 2350b

Cooperative Agreements with NATO Allies and Other Countries

22 USC 2151

Section 607 of the Foreign Assistance Act of 1961

22 USC 2796d

Section 65 of the Arms Control Act

Reports Control Symbol: DRC–801

Annual DEA Report

Section III**Prescribed Forms**

This section contains no entries.

Section IV**Referenced Forms**

This section contains no entries.

Appendix B

Major ICRDA Programs and Legal Authorities

Section I

Major Programs

B–1. Coalition Warfare Program (CWP)

A DOD funded program intended to assist the Commanders in Chief (CINCs), services, and defense agencies in developing and inserting coalition-enabling solutions into existing and planned U.S. programs. Unlike “Nunn funded” programs, which focus on the cooperative research and development of materiel, CWP focuses on the development of doctrines, concepts, systems, and technologies that promote interoperability between the U.S. and its allies in a coalition environment. CWP projects may also be developed with countries that are not formal allies. The CWP is administered by the USD(AT&L), which selects projects for CWP funding on a case by case basis. CWP funding must not exceed three years (two preferred) and must not exceed foreign contributions to the project. In addition to DOD funding, service funding may also be used for CWP projects. Proposals for Army CWP projects are submitted to the USD(AT&L) through the ASA(ALT). Submission procedures are based on USD(AT&L) guidance, which requires only a one-page written summary, a briefing, and high level supporting documentation.

B–2. Defense Data Exchange Program (DDEP)

a. A program under which participating allies and friendly nations exchange with the United States technical and scientific information of mutual interest. DOD policies and responsibilities for the program are spelled out in DOD Instruction 2015.4. The objectives of the DDEP are to—

- (1) Enhance the cohesion and breadth of existing military alliances and friendships.
- (2) Coordinate the R&D efforts of the United States and participating nations.
- (3) Reduce the cost and duplication of effort in defense R&D.
- (4) Promote multinational force compatibility and cooperative R&D of defense equipment.

b. Under DDEP, the United States and allied or friendly nations negotiate master data exchange agreements that specify the general terms and conditions of information exchange. Specific exchanges of information are carried out under DEAs to master data exchange agreements that provide details pertinent to the exchange of information in a specific area or field of interest. The provisions of a master agreement apply to all DEAs with the concerned country, and there is no limit to the number of DEAs a master agreement may have. The Office of the Secretary of Defense has delegated authority to develop and conclude DEAs to the Military Departments. The CG, Army Materiel Command, exercises Army responsibility for the DDEP and approves DEAs not requiring HQDA review. He also appoints U.S. Army TPOs, who are responsible for overall technical management of an individual DEA as well as the actual exchange of data and information.

B–3. Engineer and Scientist Exchange Program (ESEP)

An exchange program authorized by The National Defense Authorization Act for Fiscal Year 1997, section 1082 (also found at 10 USC 168 note) under which the foreign defense professionals are temporarily assigned to work in U.S. Defense establishments, and U.S. Defense professionals are temporarily assigned to work in allied and friendly country defense establishments (and supporting private contractors.). The ESEP is designed to promote international cooperation and understanding in military R&D, as well as reduce costs and duplication of effort in U.S. and allied and other friendly nation research programs. As in the DDEP, the United States allied or friendly nations negotiate master agreements that specify the general terms and conditions of the personnel exchange. ESEP exchange assignments should address technical disciplines associated with a common military requirement and be managed in a way that provides equitable benefits to both countries. ESEP exchanges may not be used to provide technical training, and the costs of participation (including travel to and from and living expenses in the host country) will be borne by the participant’s parent organization. To administer the program, DOD has designated the Army and Air Force as executive agents for managing exchanges with specific countries and providing status reports to OSD. Within the Army, the CG, AMC exercises DOD responsibility for the ESEP for assigned countries and exercises Army responsibility for coordinating assignment of Army Defense professionals oversees and placement of foreign personnel in Army installations. The latter form of exchange requires development of several documents, including an approved position description and approved DDL (for CMI access) or similar document that describes the classification levels, categories, scope, and limitations of information that may be disclosed to the foreign ESEP participant, and certificate of responsibilities.

B–4. Foreign Comparative Testing (FCT) Program

A DOD test and evaluation program, authorized by 10 USC 2350g, which provides funding for U.S. testing and evaluation of conventional defense equipment, munitions, and technologies manufactured and developed by major allies or friendly foreign countries when such items or technologies are identified as having good potential to satisfy valid DOD requirements. The program is managed directly by the Office of the USD(AT&L) based on candidate

projects annually nominated by the DOD Components. DOD policies and procedures for nominating projects are described in DOD 5000.3-M-2. Equipment proposed for testing under the FCT programs must be nondevelopmental items, address valid military requirements and enjoy user support. In addition, the sponsoring DOD component must have conducted a thorough market survey and demonstrate a clear intention to procure the item if the testing is successful. The Commanding General (CG) AMC, as the Army responsible official, manages the FCT program. FCT proposals are screened, prioritized, and forwarded by HQ, AMC to OSD, with an information copy provided to OASA(ALT).

B-5. Section 65 loans

Under section 65 of the Arms Export Control Act, DOD components may loan to NATO and major non-NATO allies materiel, supplies, or equipment for purposes of carrying out a program of cooperative research, development, test, and evaluation; or rationalization, standardization, and interoperability. DOD components may also accept loans or gifts from these same allies for these same purposes. Section 65 loans will normally not exceed one year. A loan of U.S. equipment must be documented in a loan agreement, supplemented by an SSOI and DDL. Within the Army, all section 65 loan agreements must be approved by the Assistant Secretary of the Army (Acquisition, Logistics and Technology) (ASA(ALT)).

B-6. The Technical Cooperation Program (TTCP)

A multilateral program comprising Australia, Canada, New Zealand, the United Kingdom, and the United States, which is intended to acquaint participating countries with the military R&D programs conducted by other TTCP members and to provide a means to combine resources and share tasks in carrying out ICRDA ventures. The TTCP works primarily through activities described in the TTCP MOU of 24 October 1995, as amended on 16 October 2000. This agreement establishes a mechanism among the participants that provides for the continuation and enhancements of all TTCP efforts. These efforts include exchange of scientific and technical information, harmonization and alignment of national S&T programs, and collaboration through TTCP project arrangements (PAs), equipment and materiel transfers (EM&Ts), assignments of Cooperative Program Personnel, trials and testing, and personnel visits. The program is managed by a multinational management structure that is headed by the chiefs of defense for research and development of the member countries, also known as the Non-Atomic Military Research and Development (NAMRAD) principals. The NAMRAD principals provide strategic guidance for the program and, as individuals, appoint national representatives to TTCP subgroups. Day-to-day management of the program has been delegated to representatives of the participating countries located in Washington, DC (known as the Washington deputies). The Washington deputies, assisted by a secretariat, monitor the information exchange activities of TTCP subgroups and other subordinate bodies in coordination with the responsible military department. Policies and procedures that govern TTCP collaboration are contained in the TTCP MOU and Policies, Organizations, and Procedures in Non-atomic Military Research and Development (POP NAMRAD). DOD policies and procedures for the TTCP are described in DOD Instruction 3100.8. Release of information for TTCP purposes is subject to the requirements of AR 380-10.

B-7. Technology Research and Development Projects (TRDP) Program

The TRDP program provides for streamlined negotiation and approval of project-specific agreements in cooperative research and development. The TRDP is focused on collaborative projects involving basic, exploratory, and advanced technologies. System-specific collaboration generally requires a stand-alone cooperative R&D MOU. To implement the TRDP, the DOD has negotiated a series of bilateral and multilateral umbrella TRDP (or TRDP-like) agreements that cover cooperation on a broad scope of Defense R&D-related work and spell out the general terms and conditions for cooperation between the United States and various foreign signatories. Specific cooperative R&D projects are initiated through development of implementing arrangements known as PAs that incorporate by reference the terms of the relevant umbrella TRDP agreement. TRDP PAs require similar supporting documentation (SSOI and DDL) as stand-alone cooperative R&D MOUs, but the HQDA and OSD approval processes are streamlined and the PA itself is generally simpler to negotiate.

B-8. United States-Canadian Defense Development Sharing Program (DDSP)

A program intended to promote joint U.S.-Canadian military materiel programs to support better use of the industrial, scientific, and technical resources of both countries in the interest of mutual defense. Under the program, the Canadian government will fund up to fifty percent of the costs of a defense R&D project if one or more Canadian firms are awarded the contract for the work. DDSP projects (documented in a PA) must meet an approved DOD requirement and should possess a relatively high density or dollar-value production potential. At the national level, the program is overseen by a U.S.-Canada Steering Committee co-chaired by the USD(AT&L), but the DOD has delegated approval authority for specific DDSP projects to the military departments. As the Army responsible official, the CG, AMC reviews, coordinates, and approves all Army DDSP project proposals. The CG AMC also nominates the U.S. chair of

the U.S. AMC-Canadian DDSP Steering Group, which meets annually to review and provide guidance for Army DDSP activity.

Section II

Legal Authorities

B-9. Public Law 104-201, The National Defense Authorization Act for Fiscal Year 1997, section 1082 (also found at 10 USC 168 note)

This section provides authority to the Secretary of Defense to negotiate agreements with allies or other friendly foreign countries to exchange military and civilian DOD personnel with military and civilian personnel of foreign defense ministries. Under this authority, DOD personnel may also be assigned to positions in private industries that support the defense ministry of the host foreign government. Each government will pay the salary, per diem, travel and relocation costs, and language training expenses of its own personnel involved in an exchange. Costs of TDY directed by the host government, local training programs, and local facilities costs will be borne by the host government. The legal authority for the ESEP program, among other exchange programs, is found in this section of public law.

B-10. Section 2350a, title 10, United States Code

This provides explicit authority for DOD to conduct cooperative R&D projects on defense equipment and munitions with NATO organizations, members of NATO, and major non-NATO allies. The proposed project must improve, through the application of emerging technology, the conventional defense capabilities of NATO or the common conventional defense capabilities of the United States and its major non-NATO allies. This statute is commonly known as the "Nunn Amendment." Nunn funds must be spent in the United States; they cannot be used to procure equipment or services from any foreign entity. The allied participant must also provide an equitable share of the project costs. Section 2350a, title 10, United States Code also states the requirement for cooperative opportunities documents (CODs) and authorizes foreign comparative testing.

B-11. Section 2539b, title 10, United States Code

This authority permits DOD laboratories to sell testing services to the states, the private sector, and foreign entities. These services include the testing and evaluation of materials, equipment, models, computer software, and other items for a fee. Although DOD laboratories are prohibited from competing with the private sector, DOD testing services may be offered when these services are not reasonably and expeditiously available within the private sector. The authority to implement this authority is delegated to directors or commanders of government laboratories, centers, or other facilities for the testing of materials, equipment, models, computer software, and other items, subject to direction or control by a higher office. This authority may be exercised when the person or entity requiring the services has established in writing, and to the satisfaction of the director or commander, that provisions of the services will not constitute undue competition with the private sector; and the service does not involve expansion of the capabilities and capacities of the laboratory/facility providing the service, even if the person or entity agrees to finance the expansion.

B-12. Section 2358, title 10, United States Code

This section of the United States Code confers the general authority to the Secretary of Defense and the Secretaries of the Military Departments to conduct and participate in R&D programs. This statute is cited for ICRDA programs that do not involve cooperative production and where participants perform, or separately contract to perform, their own share of the work. It is also the authority for cooperative R&D with countries not eligible under 10 USC 2350a or 22 USC 2767.

B-13. Section 2767, title 22, United States Code

This section provides explicit authority for DOD to conduct cooperative R&D with NATO, with one or more members of NATO, or with other friendly foreign nations. These programs must promote rationalization, standardization, and interoperability to improve the conventional defense capabilities of the participating nations. Each agreement will provide that the United States and each of the other participants will contribute its equitable share of the full cost to the cooperative project and will receive an equitable share of the results. Cooperative projects negotiated under this authority are also subject to congressional certification and notification requirements.

B-14. Section 2796d, title 22, United States Code (section 65 of the Arms Export Control Act)

This provision states that the military services may conclude and implement written agreements to make, accept and administer loans, without charge, of U.S. defense materials, supplies, or equipment to, and to accept loans or gifts of defense materials, supplies, or equipment from, NATO and major non-NATO allies. These agreements permit no-cost loan of equipment for the purposes of cooperative research, development, test, or evaluation programs.

B-15. Section 607 of the Foreign Assistance Act of 1961

Section 607 of the Foreign Assistance Act of 1961 authorizes federal agencies to provide commodities and services to

friendly countries, international organizations, the American Red Cross, and other voluntary nonprofit relief agencies registered with and approved by the Agency for International Development (AID). Although most often used in the context of the U.S. security assistance program, it may be used to support selected ICRDA activities, particularly in the field of engineering and civil works. Specific responsibilities and procedures for implementing section 607 authority are contained in AR 12-1.

Glossary

Section I Abbreviations

AAE

Army Acquisition Executive

ABCA

American, British, Canadian, Australian

ACAT

acquisition category

AID

Agency for International Development

ASA(ALT)

Assistant Secretary of the Army (Acquisition, Logistics and Technology)

ASTWG

Army Science and Technology Working Group

ATPO

associate technical project officer

CINC

Commander in Chief

CMI

classified military information

COD

cooperative opportunities document

CUI

controlled unclassified information

DCS, G-2

Deputy Chief of Staff, G-2

DCS, G-4

Deputy Chief of Staff, G-4

DCS, G-3

Deputy Chief of Staff, G-3

DDEP

Defense Data Exchange Program

DDR&E

Director, Defense Research and Engineering

DEA

data exchange annex

CIO, G-6

Chief Information Officer, G-6

FLO

foreign liaison officer

IA

international agreement

IPOC

international point of contact

ITAR

International Traffic in Arms Regulation

MACOM

major Army command

MSC

major subordinate command

NDI

non-developmental items

NDP-1

National Disclosure Policy

OSD

Office of the Secretary of Defense

PE

program element

PEO

program executive officer

PM

project manager

PO

project officer

PPBES

Planning, Programming, Budgeting, and Execution System

R&D

research and development

RDA

research, development, and acquisition

QWG

Quadripartite Working Group

SAGC

Secretary of the Army/General Counsel

S&T

science and technology

STANAG

standardization agreement

STC-EUR

Science and Technology Center-Europe

STC-FE

Science and Technology Center-Far East

TDY

temporary duty

TTCP

The Technical Cooperation Program

USC

United States Code

Section II**Terms****Acquisition positions**

Civilian positions and military billets that are in the DOD acquisition system have acquisition duties and fall in an acquisition category established by the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)). While most frequently located in organizations having an acquisition mission, acquisition positions are also located in management headquarter organizations, management support organizations, and other DOD organizations.

Acquisition workforce

The personnel component of the Defense acquisition system. The acquisition workforce includes permanent civilian employees and military members who occupy acquisition positions, are members of an acquisition corps, or who are in acquisition career development programs.

Cooperative research, development, and acquisition

Any method by which governments cooperate to make better use of their collective RDA resources, including data and information exchange, personnel exchange, interdependent research and development, and testing and evaluation.

Critical technology

Technology that consists of—

- a.* Arrays of design and manufacturing know-how (including technical data).
- b.* Keystone manufacturing, inspection, and test equipment.
- c.* Keystone materials.
- d.* Goods accompanied by sophisticated operation, application, or maintenance know-how that would make a significant contribution to military potential of any country-or combination of countries-and compromise of which may prove detrimental to U.S. security (also referred to as militarily critical technology). Note: All determinations of a technology or technologies as “critical technology” must be approved by the ASA(ALT).

Data exchange

The exchange of technical and scientific information of mutual interest among the United States and allied countries.

Data exchange agreement/annex

An annex to a master agreement that provides details pertinent to the exchange of information in a specific area or field of interest. The provisions of a master agreement apply to all DEAs with the concerned country. There is no limit to the number of DEAs a master agreement may have. Under master data exchange agreement with selected countries, these annexes are called information exchange annexes (IEAs).

Defense article

Any item or technical data designated in section 121.1 of the International Traffic in Arms Regulation (ITAR) (22 USC 121.1). This term includes technical data recorded or stored in any physical form, models, mockups, or other items that reveal technical data directly relating to items designated in section 121.1 of the ITAR. It does not include basic marketing information on function or purpose or general system descriptions.

Defense service

- a.* The furnishing of assistance (including training) to foreign persons, whether in the United States or abroad, in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, processing, or use of defense articles.
- b.* The furnishing to foreign persons of any technical data controlled under this subchapter (see sec 120.10), whether

in the United States or abroad; or military training of foreign units and forces, regular and irregular, including formal or informal instruction of foreign persons in the United States or abroad or by correspondence courses, technical, educational, or information publications and media of kinds, training aid, orientation, training exercise, and military advice.

Delegation of Disclosure Authority Letter (DDL)

A letter issued and approved by DCS, G-2 explaining classification levels, categories, scope, and limitations of information that may be disclosed to a foreign recipient. It is used to delegate disclosure authority to subordinate disclosure authorities. DDLs are intended for internal Army use only and will not be provided to foreign representatives. A DDL is required for all ICRDA programs that involve CMI or CUI. (See AR 380-10 for detailed requirements and format.)

Establish

To sign, initial, respond, or otherwise indicate the acceptance of an international agreement by the United States. Replaces the obsolete term conclusion.

International cooperative research, development, and acquisition program specialist

A generic term designating personnel responsible for overseeing and coordinating a command or agency's ICRDA programs and activities. ICRDA program specialists may or may not be members of the Army acquisition workforce or fill a designated acquisition position. It does not include those members of the Army acquisition workforce (generally scientific and technical personnel) responsible for identifying, developing, executing, and reporting on one or more ICRDA programs and activities.

International agreement

a. Any written agreement that is established (concluded), that is, signed/entered into force with one or more foreign governments (including their agencies, instrumentalities, or political subdivisions) or with an international organization, and—

(1) Is signed or agreed to by personnel of any organizational element of the Department of Defense (DOD) or by representatives of the Department of State or any other Department or Agency of the U.S. Government.

(2) Signifies the intention of the parties to be bound by international law.

(3) Is denominated as an international agreement, or as a memorandum of understanding, memorandum of agreement, project arrangement/agreement, memorandum of arrangements, exchange of notes, exchange of letters, technical arrangement, protocol, note verbale, aide memoire, agreed minute, contract, arrangement, statement of intent, letter of intent, statement of understanding, or any other term connoting a similar legal commitment.

b. Any oral agreement that meets the criteria in paragraph a(1) above. The DOD representative who enters into the agreement must reduce such an agreement to writing.

c. A North Atlantic Treaty Organization (NATO) Standardization Agreement (STANAG) or ABCA QSTAG that provides for mutual support or cross-servicing of military equipment, ammunition, supplies and stores, or the mutual rendering of defense services, including training.

d. Umbrella agreements, implementing arrangements and cross-servicing agreements concluded under the Acquisition and Cross-Servicing Agreements Authority (10 USC 2341 et seq.).

e. Any extension, revision, or other amendment or modification to an agreement, as defined in paragraphs a(1) through (4) of this definition.

f. For the purposes of this regulation, CRDAs with foreign entities developed under the authority of section 3701, title 15, United States Code are not considered international agreements.

International Agreement Generator (IAG)

A menu-driven software program that has all standard IA provisions plus “fill in the blank” formats for program-specific IA sections. It is designed to assist the ICRDA proponent in drafting agreements that conform to relevant U.S. law and U.S. Government regulations and policies, as well as the generally accepted IA formats and norms used by foreign countries.

Master DDEP agreement

The basic agreement between the United States and a country or countries participating in the DDEP that permits the exchange of information. It outlines the conditions and procedures that will govern the exchange of information under the overall program.

Memorandum of agreement (MOA)

An international agreement between two or more parties. When used in the context of NATO programs, it usually refers to government-to-government agreements negotiated between allied defense agencies and signed by official of

the executive branch of governments, usually at or below the ministerial level. Sometimes used in place of the more common term, memorandum of understanding (see below).

Memorandum of understanding (MOU)

See definition for MOA above. For the purposes of this regulation, it includes MOAs.

Militarily critical technology

See definition for critical technology.

National disclosure policy

Specific disclosure criteria and limitations, definitions of terms, release arrangements, and other guidance required by U.S. departments and agencies having occasion to release U.S. critical military information to foreign governments and international organizations.

Summary statement of intent (SSOI)

A DOD-mandated document that summarizes a proposed ICRDA project. It is reviewed by HQDA and OSD as part of the initial staffing process and must be approved prior to negotiating the associated IA. Development of the SSOI is the responsibility of the materiel developer, in concert with appropriate international cooperative program offices and foreign disclosure/security offices. At a minimum, the SSOI will—

- a. Provide an overview of the proposed project.
- b. Identify the associated Army STO, other technology objective, or operational requirement.
- c. Identify the partner nations and define the negotiation strategy.
- d. Cite the applicable U.S. legal authority.
- e. Describe the proposed management structure.
- f. Describe the benefits and risks to the United States.
- g. Assess the impact of the proposed project on the U.S. industrial base.
- h. Identify the funding source and requirements.
- i. Discuss any information security issues.
- j. List project points of contact.

Technology assessment/control plan (TA/CP)

A DOD-mandated technology transfer security document that identifies and describes sensitive program information; the risks involved in foreign access to the information; the participation in the program of foreign sales of the resulting system; and the development of protective measures to protect the U.S. technological or operational advantage represented by the system. It is required for all classified major defense equipment where there is a potential for foreign sales. Technology transfer and security issues for ICRDA agreements are addressed in the SSOI and the DDL in lieu of the TA/CP. (See AR 380-10 and AR 550-51.)

Section III

Special Abbreviations and Terms

This publication uses the following abbreviations, brevity codes, and acronyms not contained in AR 310-50.

AECA

Arms Export Control Act

AMCOICP-FE

Army Materiel Command Office for International Cooperative Programs-Far East

APQ

Armaments Planning Questionnaire (NATO)

ASTWG

Army Science and Technology Working Group

CPP

Cooperative Program Personnel

CRDA

Cooperative Research and Development Agreement

CWP

Coalition Warfare Program

DASA(DE&C)

Deputy Assistant Secretary of the Army for Defense Exports and Cooperation

DDSP

United States-Canadian Defense Development Sharing Program

DTLOMS

doctrine, training, leader development, organization, materiel, and soldiers

EM&T

equipment and materiel transfers

ESEP

Engineer and Scientist Exchange Program

FCT

foreign comparative testing

FVS

Foreign Visits System

IATS

International Agreements Tracking System

ICOG

International Cooperative Opportunity Group

ICRDA

international cooperative research, development, and acquisition

IEA

information exchange annex

IO

International Online

IPT

Integrated Product Team

IPOC

international point of contact

IPWG

International Programs Working Group

MFC

multinational force compatibility

MPEP

Military Personnel Exchange Program

NAMRAD

Non-Atomic Military Research and Development

PA

project arrangement/agreement

POPNAMRAD

Policies, Organizations, and Procedures in Non-atomic Military Research and Development

QACISIG

Quadrilateral Armies Communication and Information Systems Interoperability Group

RAD

request for authority to develop

RDEC

research, development, and engineering center

RFA

request for final authority

SNR(A)

Senior National Representatives (Army)

STC-EUR

Science and Technology Center-Europe

STC-FE

Science and Technology Center-Far East

STO

science and technology objective

TCP

Technology Control Panel

TPO

technical project officer

TRDP

technology research and development projects

TTSARP

Technology Transfer and Security Assistance Review Panel

USARDSG

United States Army Research, Development, and Standardization Group

USD(AT&L)

Under Secretary of Defense (Acquisition, Technology, and Logistics)

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